

Adopted as follows:  
 Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell, and President Levin — 8.  
 Nays — None.

**City Engineering Department**  
 April 16, 1975

Honorable City Council:  
 Re: Petition No. 1497, Russ Dawson, Inc. Temporarily Close the Alley north of Seven Mile between Freeland and Ardmore.

We are returning herewith Petition No. 1497 of Russ Dawson, Inc. (McDonald Ford, Inc.) requesting the temporary closing of the above described alley.

The temporary closing was recommended by the Community and Economic Development Department.

The petition was then referred to us for investigation and report; our report, accompanied by the original petition, is as follows:

All City Departments and privately owned utilities have reported that they have no objections to the proposed closing as long as the resolution grants them right of ingress and egress to their facilities.

An appropriate resolution containing all of the necessary provisions including those recommended by the Community and Economic Development Department is attached for consideration by your Honorable Body.

Respectfully submitted,  
 HERMAN T. DUDLEY,  
 Director

Approved:  
 JAMES WATTS  
 Director  
 Environmental Protection  
 & Maintenance Dept.

By Council Member Cleveland:  
**RESOLVED**, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permit to Russ Dawson, Inc. (McDonald Ford, Inc.) to close the east-west public alley, 20 feet wide, first north of Seven Mile Road, between Freeland and Ardmore, being a part of "San Bernardo Park No. 1," being a subdivision of the east 1/2 of the west 1/2 of the southeast 1/4 of Section 6, T.1S., R.11E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 49, Page 13, Plats, Wayne County records, on a temporary basis for a period not exceeding five (5) years and to expire on the same date as the Board of Zoning Appeals' grant which was passed on October 22, 1974;

**PROVIDED**, That petitioner shall be subject to any tax which may be levied against him pursuant to law with regard to such use of public property, and further

**PROVIDED**, Petitioner furnishes an Agreement, in form approved by the Law Department, saving and protec-

ting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the Finance Department, and further

**PROVIDED**, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further

**PROVIDED**, That no building or other structure is constructed in said alley; that petitioner shall observe the rules of the City Engineering Department, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alley;

**PROVIDED**, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Department, by and at the permittee's expense, and further

**PROVIDED**, This resolution is revocable at the will, whim, or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:  
 Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell, and President Levin — 8.  
 Nays — None.

**City Engineering Department**  
 April 14, 1975

Honorable City Council:  
 Re: Petition No. 1045 — Louis Jackson, etal. Conversion to Easement of a portion of the east-west alley in the block bounded by Kelly, Riad, Moross, and McCormick.

The above petition requests the conversion of the above described portion of alley, 20 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right of way into easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
**HERMAN T. DUDLEY**  
 Director

Approved:  
**JAMES W. WATTS**  
 Director

Environmental Protection  
 & Maintenance Dept.  
 By Council Member Cleveland:

**RESOLVED**, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Kelly, Riad, Moross, nd McCormick, abutting the rear line of lots 628 and 643 inclusive of the "East Park Manor No. 1" being a subdivision of part of Private Claims 123 and 617, City of Detroit and Township of Gratiot, Wayne County, Michigan, as recorded in Liber 55, Page 75, Plats, Wayne County records,

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns, forever to wit:

**FIRST**, said owners hereby grant to and for the use of the public an easement or right of way over said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

**SECOND**, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveways retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any chnge of surface grade made, without prior approval by the City Engineering Department.

**THIRD**, that if at any time in the future the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

**PROVIDED FURTHER**, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such

as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

**City Engineering Department**

April 15, 1975

Honorable City Council:

Re: Petition No. 562 — Michael J. Hunt, etal. Conversion of Easement of the alley in the block bounded by Rowe, Annott, Pinewood, and Manning.

The above petition requests the conversion of the above described public alley, 18 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
**HERMAN T. DUDLEY**  
 Director

Approved:  
**JAMES WATTS**  
 Director

Environmental Protection  
 & Maintenance Dept.  
 By Council Member Cleveland:

**RESOLVED**, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Rowe, Annott, Pinewood, and Manning Avenues, abutting the rear line of lots 141 to 157 and lots 225 to 241 inclusive of the "Twin Pines Subdivision," of the West 1/2 of the Southwest 1/4 of Section 2, T-1-S, R-12-E, Gratiot Township, Wayne County, Michigan, as recorded in Liber 43, Page 58, Plats, Wayne County records.

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns, forever to wit:

**FIRST**, said owners hereby grant to and for the use of the public an ease-